

UNITED STATES DISTRICT COURT DISTRICT OF NEW MEXICO					
Before the Honorable STEPHAN M. VIDMAR					
CRIMINAL CLERK'S MINUTES at Las Cruces					
Case Number:	<b>20-1333 MJ</b>	Date:	<b>8/28/20</b>	Recording Information:	<b>LCR-SIERRA BLANCA</b>
Clerk:	<b>REBECCA HELMICK</b>	Type of Hearing:	<b>DETENTION</b>		
Defendant(s):		Attorney(s):		Appt'd.	Ret'd.
<b>MUNDO CHARLES BARELA</b>		<b>DANIEL RUBIN</b>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
				<input type="checkbox"/>	<input type="checkbox"/>
Assistant U.S. Attorney:	<b>AARON JORDAN</b>	Interpreter:	<b>N/A</b>		
Pretrial Officer:	<b>MONICA HOYLE</b>	Court in Session:	<b>9:01-9:15 A.M. 14 MIN</b>		
<input type="checkbox"/>	Agent sworn in open Court				
<input type="checkbox"/>	Court questions Defendant regarding his/her physical and mental condition, age, education				
<input checked="" type="checkbox"/>	Court advises Defendant(s) of possible penalties and all constitutional rights				
<input type="checkbox"/>	ORAL Motion for Detention Hearing by Government				
<input type="checkbox"/>	Court grants <input type="checkbox"/> Government's <input type="checkbox"/> Defense counsel's oral motion to continue detention hearing				
<input type="checkbox"/>	Waiver of preliminary hearing & right to grand jury presentment filed in open court				
<input type="checkbox"/>	Defendant admitted violation; Matter referred to the District Judge For a Disposition Hearing				
<input type="checkbox"/>	Set for change of plea on 7/23/2019 at 9:30 A.M.				
<input checked="" type="checkbox"/>	Defendant detained as a danger to the community				
<input type="checkbox"/>	Conditions of Release continued on Page 2				
<input checked="" type="checkbox"/>	Other: DEFENSE COUNSEL ASKS FOR RELEASE-CLEARLY A CASE OF SELF-DEFENSE, DEFENDANT HAS NO PREVIOUS CONVICTIONS; WARRANT IS FOR A TRAFFIC VIOLATION THAT JUST NEEDS TO BE PAID; DEFENDANT IS NOT A FLIGHT RISK; ELECTRONIC MONITORING OR CURFEW COULD BE IN PLACE; GOVERNMENT ASKS FOR DETENTION, DEFENDANT IS FACING SENTENCE UP TO LIFE; WEIGHT OF EVIDENCE IS STRONG-TAPED CONFESSION AND EYE-WITNESS TESTIMONY; (Continued on Page 2)				

DANGER TO THE COMMUNITY IS IMPORTANT IN THIS CASE AS TO DEFENDANT AND VICTIMS/FAMILY IN COMMUNITY; VICTIMS ARE VERY INVOLVED IN THIS CASE; VICTIM'S DAUGHTER SPEAKS IN SUPPORT OF DETENTION OF DEFENDANT;

DEFENSE COUNSEL STATES THAT DEFENDANT WILL BE RELEASED TO RESIDENCE OFF OF THE RESERVATION

**COURT STATES THAT GOVERNMENT HAS MET ITS BURDEN - NATURE OF OFFENSE AND WEIGHT OF EVIDENCE AND PRIOR HISTORY- THERE IS CLEAR AND CONVINCING EVIDENCE THAT DEFENDANT PRESENTS A DANGER TO THE COMMUNITY**